IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

SECOND APPEAL NO. 226 OF 2005

Pandurang Dattatraya Vispute
and Others. ...Appellants.
V/s
Vasudeo Vinayak Apte and
Others. ..Respondents.

Mr. R. V.More for the Appellants.

CORAM: A.S.OKA,J.
DATE : MAY 5, 2005.

P.C.:

1. Heard Shri. More for the Appellants. Following substantial question of law arises:

i) Whether the Appellate Court committed an error by dismissing the appeal and by not passing a decree in favour of the original plaintiffs even after recording a finding that order of Tahsildar dated 30th April 1969 which was challenged by the plaintiffs by filing the suit was without jurisdiction and nullity?

2. Second Appeal is admitted on the aforesaid substantial question of law.

3. The printing is dispensed with. The advocate for the appellant to file private paper book and decree forms within period of three months from today. If the compliance is not made, Second Appeal will stand dismissed for want of prosecution without reference to the Court.

(JUDGE)